

REMARKS/ARGUMENTS

In the Office Action, all of the original claims 1-20 of the present Application were rejected. In particular, claims 1-3, 11-12 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagishi (U.S. Patent No. 5,870,604) in view of Kashihara (U.S. Patent No. 6,571,147). Additionally, claims 4-10 and 13-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Yamagishi in view of Kashihara and further in view of Gigliotti et al. (U.S. Patent No. 6,393,458).

In response to the rejections of claims 1-20, the Applicants traverse the rejections for at least the reasons discussed below.

Also, the Applicants have added new claims 21-23 as shown above. The Applicants respectfully submit that new claims 21-23 do not add new matter and are supported by the Specification and by the other claims (see, e.g., original claims 1-7 and lines 20-34 of page 9 of the Specification). Additionally, the Applicants respectfully request consideration and allowance of the new claims 21-23.

Comments Regarding Rejections of Claims 1-20

Despite the comments in the Office Action, the Applicants respectfully traverse the rejections of claims 1-20. The Applicants in particular respectfully submit that neither of the two references (alone or in combination) cited in relation to the independent claims 1 and 11 shows “identifying potential bid request receivers for each ACU being a subset of all ACUs of [a] plurality”, or shows “preferentially communicating requests for bids related to the description of the job from the given ACU only with other ACUs of the list of potential bid request receivers”.

The Applicants are unable to find within either of the cited references, alone or in combination, identifying of potential bid request receivers. As stated in paragraph 2 of the Office Action, “Yamagishi fails to clearly disclose the ACUs operating to divide a predefined job among the ACUs by a bidding process”. As for Kashihara, the Applicants disagree that the portions of that reference identified in paragraph 2 of the Office Action relate to a bidding process. Instead, from the abstract, it appears that job information is

presented to multiple job-handling agent systems, which in turn determine whether to register portions of that job information. Thus, the job handling agent systems do not "bid" on job information by sending bids to one another, but rather simply "take" job information as they deem appropriate.

Further, the Applicants are unable to find within either of Yamagishi and Kashihara any discussion of identifying a "subset of all ACUs of the plurality". Fig. 8 of Yamagishi, which is referred to in the Office Action, does not appear to show the identification of a subset of all ACUs; rather, it appears from Fig. 8 that a given processor indiscriminately contacts all other processors until it identifies a processor having a job that can be transferred. As for Kashihara, the Applicants also are unable to find within that reference any teaching of selecting a subset of all ACUs as potential bid request receivers. Indeed, from the Abstract of Kashihara, which states that "each of the job-handling agent systems captures and evaluates a piece of job information", it would appear that there is no subset of job handling agent systems or any other processor that are identified as being appropriate for receiving bid requests.

Additionally, the Applicants are unable to find within either of the cited references any teaching of preferential communication of bid requests to only those ACUs that are on the list of potential bid request receivers. Neither of Yamagishi and Kashihara discloses the generation of any list at processors concerning what other processors would be appropriate to receive bid requests. Consequently, neither of those references appears to disclose any preferential communication based upon such lists. Indeed, it appears that each of Yamagishi and Kashihara teaches indiscriminate communications with other processors/job-handling agent systems rather than preferential communications.

Conclusion

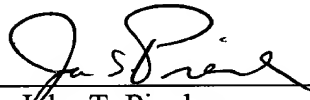
Given the Applicant's Remarks and Amendments, the Applicant respectfully requests reconsideration and allowance of the present Application.

The Applicant wishes to invite the Examiner to telephone the Applicant's attorney at the number listed below if discussion with the Applicant's attorney would be of assistance to the Examiner or further the prosecution of the present Application.

Appl. No. 09/621,718
Amdt. Dated 09/17/03
Reply to Office action of June 17, 2003

No additional fees for filing this paper are believed to be due. However, the Commissioner is hereby authorized to charge an additional fee due or to credit any overpayment to deposit account no. 17-0055.

Respectfully submitted,
Francisco P. Maturana et al.

By: 
John T. Pienkos
Reg. No. 42,997
Quarles & Brady
411 E. Wisconsin Ave., Suite 2550
Milwaukee WI 53202-4497
(414) 277-5777

QBMke#5446013.1